

## **INITIAL STATEMENT OF REASONS**

### **Commission Regulation 1005 and Procedure D-14**

#### ***Training Specifications for the Investigation and Trial Preparation Course***

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The Commission on Peace Officer Standards and Training (POST) proposes to amend the document *Training Specification for the Investigation and Trial Preparation Course*, incorporated by reference into Regulations 1005 and Commission Procedure D-14. The proposed amendments include:

- Re-distributing hours to assure adequate time for each domain;
- Adding verbs to the learning objectives of the training specifications document to convey the intent and level of training to both instructors and students;
- Revise the design and delivery of course to conform to the adult learning methodologies adopted for other peace officer basic courses;
- Add/modify the course content to reflect contemporary changes in job functions and emerging training needs for the District Attorney investigator; and,
- Modify language for clarification, accuracy, level of mastery and grammar purposes.

The amendments are proposed by POST staff, Subject Matter Experts (SMEs) and a Steering Committee convened by the POST Basic Training Bureau. All changes to curriculum began with recommendations from law enforcement practitioners or, in some cases in consideration of legislative changes. POST then facilitated meetings attended by curriculum advisors and subject matter experts (SMEs) who provided recommended changes to existing course curriculum. The recommendations were submitted to the Steering Committee, chaired by a non-POST person and comprised of a statewide representation of District Attorney Chief Investigators, an Assistant Chief Investigator, Supervising Investigators and a Senior Investigator. The Steering Committee approved the recommendations that were then submitted for review and approved by the California District Attorney Investigators Association (CDAIA) and the California District Attorney Association (CDAA). The completed work of all committees was then submitted to the POST Commission for final review. In addition to amending the learning domains for the aforementioned reasons, the SMEs also propose non-substantial changes at the same time to improve clarity and readability of the domains. The Commission approved the proposed changes at its July 20, 2006 Commission meeting, subject to the Notice of Proposed Regulatory Action process.

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#### **Justification - Regulation 1005**

New effective dates are added to the incorporation by reference statements for historical accuracy.

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#### **Justification - Commission Procedure D-14-2 (d)(3d)**

Changes appear in the identified learning domains that provide material for the presenter-developed comprehensive test, as a result of the changes to the training specifications content as described in D-14-2(d)(3). The new effective date is added to the incorporation by reference statements for historical accuracy.

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#### **Justification- *Training Specifications for the Investigation and Trial Preparation Course***

##### **Minimum content and Hourly Requirements**

The 80-hour length of the course remains the same. Identified course content; however, was shifted among specific learning domains and three new domains were added. As a result of the curriculum realignment, four domains were deleted. The Steering Committee recommended changes in the minimum instructional hours, to be more consistent with the education flow, instructional design, and delivery of content. Changes to the effective date reflect the update.

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#### **Learning Domains**

The proposed amendments add verbs, and make changes for level of mastery, language clarification and grammar purposes. The proposed effective date appears on the first page and is added to the revision date at the end of each domain. “Required Instructional Activities” in each domain is changed to “Required Learning Activities.” Each Learning Domain (LD) was also changed as specified below:

#### **Learning Domain #70 – Role and Authority of the District Attorney Investigator**

Add “authority” to domain title to reflect an appropriate scope of job functions. Delete sub-topics in learning objective E. to ensure broader curriculum focus. Increase instructional hours by two hours to be more consistent with additional content and use of active learning methodology.

#### **Learning Domain #71 – Court Processes, Motions, Grand Jury**

No additional changes.

#### **Learning Domain #72 – Civil Process**

Delete domain. Relocate learning objectives and the two instruction hours to Learning Domain #85 for topical alignment and educational flow of curriculum.

#### **Learning Domain #73 – Concepts of Evidence, Search and Seizure**

No additional changes.

#### **Learning Domain #74 – Investigative and Surveillance Techniques**

In the title, add “surveillance” to reflect content. Move Learning Objective E.1 – Genetic Fingerprinting (DNA Analysis) to new Learning Domain #90 – DNA Collection. Three learning objectives and two hours of instructional time for surveillance relocated from Learning Domain #87 for topical alignment and educational flow of curriculum.

#### **Learning Domain #75 – Victim, Witness, and Informant Management**

No additional changes.

#### **Learning Domain #76 – Trial Preparation and Support**

Increase instructional time by two hours to address new learning activity that replaces the deleted required instruction.

#### **Learning Domain #77 – Family Support Investigations**

Delete domain. Jurisdiction of investigative functions transferred to state level. Two hours of instructional time redistributed throughout course domains.

#### **Learning Domain #78 – Child Abduction Investigations**

New learning objective was added to reflect enhanced job functions and emerging training needs. Deleted topic no longer reflects current subject.

#### **Learning Domain #79 – Financial Crimes and Public Assistance Investigations**

Rename title to include public assistance investigations. Learning objectives for consumer fraud relocated to Learning Domain #85 for topical alignment and educational flow of curriculum. Learning objectives for welfare fraud and identity theft added to reflect enhanced job functions and emerging training needs. Learning objectives addressing various types of fraud relocated from LD #80.

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#### **Learning Domain #80 – Public Assistance Fraud Investigations**

Delete domain. Learning objectives relocated to LD #79 for topical alignment educational flow of curriculum.

#### **Learning Domain #81 – Crimes Committed by Public Officials**

Add language to title and content for clarity. Reorganize / delete topics in Learning Objectives C. & D. to reflect priority for topics addressed.

#### **Learning Domain #82 – Special Victim Investigations**

Add new learning objectives to reflect enhanced job functions and emerging training needs.

#### **Learning Domain #83 – Gang Activity Investigations**

Add sub-topics to Learning Objectives A and B., to reflect enhanced job functions and emerging training needs.

#### **Learning Domain #84 – Officer Involved Incidents**

No additional changes.

#### **Learning Domain #85 – Environmental and Consumer Fraud Crime Investigations**

Domain renamed to include consumer fraud. Learning objective B from LD #79 and content from LD #72 relocated for topical alignment and educational flow. Instructional time increased by two hours to accommodate additional content. Language deleted in II. A. is redundant to language in new lead sentence.

#### **Learning Domain #86 – Investigator Safety**

Add sub-topic on removal orders as essential component of training on Prisoner Transportation. Reduce instructional time by two hours in consideration of content and use of active learning methodology.

#### **Learning Domain #87 – Surveillance**

Delete domain. Relocate learning objectives A, B, & G to LD #74. The balance of deleted topics no longer reflects contemporary training needs.

#### **Learning Domain #88 – Professionalism and Ethics**

Add Learning Objectives D. & E. and delete sub-topics 1-1 Learning Objective C. to ensure broader curriculum focus.

#### **Learning Domain #89 – High Tech Crimes and Computers**

No additional changes in content. Reduce instructional time by two hours in consideration of content and add use of active learning methodology.

#### **Learning Domain #90 – DNA Collection and Usage**

New domain reflects enhanced job functions and emerging training needs.

#### **Learning Domain #91 – Juvenile Process**

New domain reflects enhanced job functions and emerging training needs.

#### **Learning Domain #92 – Interview and Interrogation Update**

New domain reflects enhanced job functions and emerging training needs.

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#### **Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, Including Small Businesses**

The Commission on Peace Officer Standards and Training has made an initial determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability to compete with businesses in other states. The Commission on Peace Officer Standards and Training has found that the proposed amendments will have no effect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not impact California businesses, including small businesses.

#### **Cost Impacts on Representative Private Persons or Businesses**

The Commission on Peace Officer Standards and Training is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action.

#### **Assessment**

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the state of California and will not result in the elimination of existing businesses or create or expand businesses in the State of California.

#### **Considerations of Alternatives**

To take this action, the Commission must determine that no reasonable alternative considered by the Commission or otherwise identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as and less burdensome to effected private persons than the proposed action.